

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

KELVIN THORNTON,)
)
 Petitioner,)
 vs.) NO. CIV-11-0039-HE
)
 HECTOR A. LEDEZMA, Warden,)
)
 Respondent.)

ORDER

Petitioner Kelvin Thornton, a federal prisoner appearing *pro se*, filed this action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred for initial proceedings to Magistrate Judge Gary M. Purcell, who has recommended that petitioner's request for habeas relief be denied.

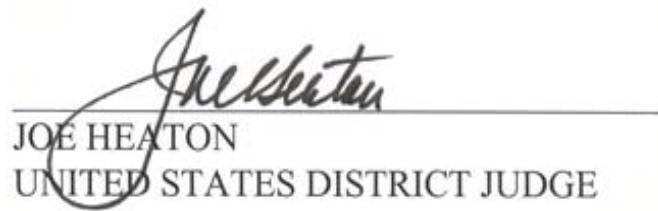
Petitioner failed to object to the magistrate judge's Supplemental Report and Recommendation¹ and thereby waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1)(C).

Accordingly, the court **ADOPTS** Magistrate Judge Purcell's Report and Recommendation and **DENIES** petitioner's request for habeas relief.

¹*The court previously adopted the Report and Recommendation by Judge Purcell insofar as it recommended denial of petitioner's motion for in forma pauperis status. [Doc. #9]. The matter, however, was referred back to Judge Purcell, in light of petitioner paying his filing fee. See id. (recommending the petition be dismissed unless petitioner paid the filing fee).*

IT IS SO ORDERED.

Dated this 27th day of June, 2011.



Joe Heaton
UNITED STATES DISTRICT JUDGE